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MAY 03 2010

OFFICE OF PETITIONS

In re Patent No. 7,542,834 : DECISION ON REQUEST
Nobori, et al. : FOR
Issue Date: June 2, 2009 : RECONSIDERATION OF
Application No. 10/540,135 : PATENT TERM ADJUSTMENT
Filed: June 21, 2005 : and
Atty Docket No. 5077-244/NP : NOTICE OF INTENT TO ISSUE
: CERTIFICATE OF CORRECTION

This is a decision on the petition filed on October 23, 2009, which is being treated as a petition under 37 CFR 1.705(d) requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted by nine hundred and twenty-six days (926) days.

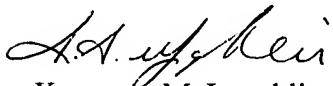
The petition to correct the patent term adjustment indicated on the above-identified patent to indicate that the term of the above-identified patent is extended or adjusted by **eight hundred and seventy-nine (879)** days is **GRANTED to the extent indicated herein**.¹

The Office will *sua sponte* issue a certificate of correction. Pursuant to 37 CFR 1.322, the Office will not issue a certificate of correction without first providing assignee or patentee an opportunity to be heard. Accordingly, patentees are given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

The application is being forwarded to the Certificates of Corrections Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by **eight hundred and seventy-nine (879)** days.

¹ As a point of clarification, the instant petition is granted on the basis of matters properly considered under 37 CFR 1.705(d), which includes only reductions and /or adjustments that occurred after the mailing of the notice of allowance and arguments concerning the failure of the Office to issue the patent more than three years after the application commenced under 35 U.S.C. 371(f). No matters properly raised under 37 CFR 1.705(b) were revisited.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3222.



Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

DRAFT COPY

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,542,834 B2

DATED : Jun. 2, 2009

INVENTOR(S) : Nobori et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by (533) days

Delete the phrase "by 533 days" and insert – by 926 days--